

REMARKS

In response to the Office Action mailed April 26, 2004 Applicant amends his application and requests reconsideration. No claims are added or cancelled so that claims 1-22 remain pending.

In this Amendment, some of the examined claims have been amended for clarity. For example, claim 1 is somewhat rearranged to make clearer that the portable safe is removably attachable to the game-related device as well as to the currency control device and that both of those devices are separate from each other. As described in the patent application, when the portable safe is attached to the game-related device it accepts currency and may dispense currency, tokens, or cards. The separately located currency control device is intended for collecting from a portable safe the currency that has been inserted into the portable safe while attached to the game-related device and also for loading the portable safe with currency so that that currency can be dispensed when the portable safe is attached to the game-related device. Claim 1 is made clearer by specifying that when the portable safe is attached to the currency control device the portable safe can not only have the currency contained within it retrieved, but also the currency control device can load into the portable safe currency for use with regard to the playing of a game of the game-related device.

The amendments to claim 1 are fully supported by the application as filed. For example, the separate locations of the currency control device and the game-related device are schematically illustrated in Figure 1 of the patent application and expressly described at page 6, lines 22-27 of the patent application. The clarified function of the currency control device in not only retrieving currency from the portable safe but also loading the portable safe with currency is described at page 7, lines 8-16. The minor amendments in some of the claims depending from claim 1 are directed only to conforming the language of those claims to the language of amended claim 1.

Claim 16 is directed to the portable safe itself rather than the currency control system to which claim 1 is directed. The portable safe includes not a housing for holding currency, but also an antenna for exchanging information, particularly to detect whether the portable safe is in a permitted location or is being stolen. Further, the portable safe includes respective windows for receiving currency and dispensing currency with respective shutters opening and closing those windows. Upon the attachment of the portable safe to either the game-related device or to the currency control device, the shutters blocking the currency insertion and currency discharge windows are opened so

that the portable safe can carry out its function, namely collecting and dispensing currency in interacting with a person or the currency control device. Dependent claims 17-22 are amended only to conform to the clarifying amendments that have been made in claim 16.

Although claims 1 and 16 were rejected as indefinite because of certain language that the Examiner considered confusing and redundant, no other pending claim was so rejected. Since all of the other claims depend directly or indirectly from claims 1 and 16, it is presumed that it was intended to reject all claims as indefinite. In any event, the revised forms of claims 1 and 16 provided here overcome the rejection as to form.

The rejection with regard to claim 16, the second independent claim, is not clear from the Office Action. If that rejection is maintained, the Examiner should consider making any new rejection non-final because it is difficult, if not impossible, to determine from the Office Action whether claim 16 was rejected as anticipated or obvious. Applicant concludes that the latter rejection was intended, notwithstanding the comments at the end of page 2 concerning claim 16, and is responding on the basis of that understanding. If claim 16 is rejected as obvious and not as anticipated, then it is apparent that claims 17-20, which depend from claim 16, cannot have been rejected as anticipated. It is likewise assumed that those dependent claims are rejected on the same basis upon which claim 16 was rejected, i.e., obviousness. Based upon these assumptions, it is believed that the Examiner intended to reject claims 1-5, 7, and 8 as anticipated by Heidel et al. (U.S. Patent 6,289,261, hereinafter Heidel) and that all other claims, namely claims 6 and 9-22 were rejected as obvious over Heidel in view of Tillim et al. (U.S. Patent 6,065,408, hereinafter Tillim) and further in view of Kaish et al. (U.S. Patent 5,997,928, hereinafter Kaish) and still further in view of Martin et al. (U.S. Patent 6,520,308, hereinafter Martin), or various permutations of those secondary references in combination with Heidel. All rejections are respectfully traversed with respect to the claims presented here for examination.

Heidel cannot anticipate claims 1 and therefore cannot anticipate any of the claims that depend directly or indirectly from claim 1 and more particularly claims 2-5, 7, and 8, which were rejected as anticipated. As described in the patent application, the invention is directed to a currency control system intended to prevent theft in operations, such as game rooms and gambling casinos where large amounts of currency are collected and dispensed. In the invention as described by claim 1, the system includes a game-related device, a portable safe, and a currency control device. The portable safe is movable and is removably attachable at separate locations to the game-related device and the currency

control device. When the portable safe is attached to the game-related device, it collects currency and holds currency in connection with the operation of the game-related device. When the portable safe is attached to the currency control device, the currency collected and held within the portable safe is retrieved by the currency control device. The currency control device can also load currency into the portable safe when the portable safe is attached to the currency control device. No such arrangement is described in Heidel.

The pertinent figures in Heidel are Figures 1-3 and 10. According to the Office Action, the system 10 of Heidel includes a hopper 16 corresponding to the currency control device of claim 1 and a cassette 18 corresponding to the portable safe of claim 1. The cassette 18 is clearly removable from Heidel's system 10 because it can be mounted in a housing 100 of a docking station shown in Figure 10 of Heidel. The gaming machine 14 shown in Figure 1 of Heidel can be considered to correspond to the game-related device of the invention.

When Heidel's cassette 18 is attached to the game-related device 14 of Heidel, the cassette 18 supplies tokens, which may be considered to correspond to currency, to the hopper 16 for dispensing of those tokens. Thus, the hopper 16 might be considered to retrieve currency from the cassette 18 but there is no provision for loading currency from the hopper 16 into the cassette 18. Thus, the hopper cannot correspond to the currency control device because it lacks this function. For that reason, what is described in Heidel cannot correspond to, i.e., anticipate claim 1.

Further, claim 1 explains that the game-related device and the currency control device are in different locations. This limitation is not met by Heidel. The only element in Heidel separate from the game machine 14 that can receive the cassette 18 is the housing 100 of the docking station. The docking station cannot correspond to the currency control device of claim 1 because the docking station is directed to retrieving accounting information recorded in the cassette 18. The housing 100 provides no currency loading and retrieving functions and therefore even this interpretation of Heidel cannot anticipate claim 1 or any of its dependent claims.

The other claims that depend directly or indirectly from claim 1, namely claims 6 and 9-15 were rejected as obvious based upon Heidel in combination with various parts of Tillim, Kaish, and Martin. It is apparent that these rejections for obviousness are all founded upon the assertion that claim 1 is anticipated by Heidel. Since there is no such anticipation, the rejections of claims 6 and 9-15 fail with the withdrawal of the rejection of claim 1 as anticipated by Heidel.

The rejection of claim 16 is very complex and difficult to track through the Office Action. However, it is apparent that parts of all of the four references cited are relied upon in rejecting claim 16. In other words, in order to establish presence in the prior art of all of the elements of claim 16, reliance has to be placed upon four different references which, contrary to the Examiner's assertion, do not form a coherent picture. For example, Kaish is not related to game machines or currency control devices but to a food bending system. Admitted, Kaish mentions collecting money in order to pay for the food that is dispensed but Kaish is drawn from such a different technology than the invention that one of skill in the art would not look to Kaish for a suggestion to modify Heidel. On that ground alone, the rejection of claim 16 and of dependent claims 17-22 is respectfully traversed.

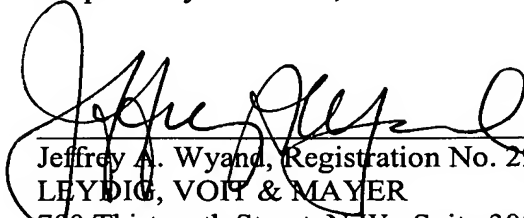
Even if Kaish could properly be applied to modify Heidel, the reliance upon Martin with respect to the locking and unlocking of the shutter plates of the portable safe of claim 16 is misplaced. Martin is directed to sorting coins and to discriminating against and discarding dirt that is mixed with the coins that are being sorted. A gate for admission of coins to the Martin sorter is opened to admit coins upon the occurrence of certain events, initiated by the pushing of a button for the sorter to begin. The gate opens to admit coins but also automatically closes in the event of a jam, the presence of a load in the trommel that separates coins from dirt "and the like". This minor passage of Martin allegedly suggests, but clearly does not teach, the opening and closing of gates.

In the portable safe of claim 16, the shutter plates are opened upon detection of the attachment of the portable safe to either of a game-related device or a currency control device. Likewise, the shutters are closed upon detachment of the portable safe from those devices. This enabling and disabling of the shutter plates is unlike the opening and closing of the gates of Martin, because in Martin, the gate opening and closing is based upon ongoing operation of the coin sorter. In the invention, the opening and closing of the gates is not related to the actual operation of the portable safe but to its attachment to another element so that, in the future, it can operate. Thus, Martin does not suggest the important function of the locking and unlocking mechanisms of the portable safe according to claim 16. No other reference relied upon includes any disclosure pertinent to this point. Therefore, the alleged combination of four publications cannot establish *prima facie* obviousness of claim 16 nor any its dependent claims 17-22. For this second and additional reason, independent of the first reason supplied, the rejection of those claims is erroneous and should be withdrawn.

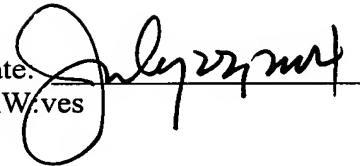
In re Appln. of JUN FUJIMOTO
Application No. 10/076,605

Reconsideration and prompt allowance of the claims now pending are earnestly solicited.

Respectfully submitted,



Jeffrey A. Wyand, Registration No. 29,458
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

Date: 
JAW:ves